

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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United States of America,

vs.

AMENDED
ARRAIGNMENT ORDER

Tex Lee Furman,

Defendant.

Court File No. 14-cr-323 (DSD/LIB)

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On October 31, 2014, an Arraignment Order was issued by the Hon. Magistrate Judge Jeffrey J. Keyes. On November 17, 2014, the Defendant's counsel, Manny K. Atwal, filed two (2) Motions; Defendant's Motion to Continue [Docket No. 11] and Defense Motion to Exclude Time Under the Speedy Trial Act [Docket No. 12].

In Defendant's Motion to Continue [Docket No. 11], counsel seeks to continue the Trial of this matter until sometime in March of 2015; continue the currently scheduled dates for filing, responding to and hearing on motions; and to exclude the period of the continuance from the Speedy Trial Act computation clock. The Government does not object to the Motions. The undersigned's Courtroom Deputy has contacted the Hon. David S. Doty's Courtroom Deputy and a new Trial Date has been given.

NOW, THEREFORE, It is --

ORDERED:

1. That the Motion to Continue [Docket No. 11] is GRANTED; that the Motion to Exclude [Docket No. 12] is GRANTED.

2. That the entire period of this Continuance, from the date of this Order to the date of Trial, is hereby excluded from the period within which the Trial of this matter must commence under the Speedy Trial Act, Title 18 U.S.C. §3161.

3. That, no later than **November 3, 2014**, the Government shall provide all Fed. R. Crim. P. Rule 16(a) materials to the Defendant¹.

4. That no later than **November 10, 2014** the Defendant shall provide all Fed. R. Crim. P. Rule 16(b) materials to the Government.

5. That all Motions, by either party for discovery, production or suppression, shall be served and filed in accordance with the Electronic Case Filing Procedures for the District of Minnesota/Criminal, **by no later than January 12, 2015**². A courtesy copy of the Motions shall be mailed directly to the chambers of the undersigned at 412 Gerald W. Heaney Federal Building and U.S. Courthouse and Customhouse, 515 West First Street, in Duluth, Minnesota. If no Motions are to be filed, the parties shall file a letter, on CM/ECF, by this same date, advising the Court that no Motions will be filed.

6. That all Responses to such Motions shall be served and filed **by no later than January 26, 2015**. A courtesy copy of the Responses shall be mailed directly to the chambers of

¹That, no later than **November 3, 2014**, the Government is strongly requested to consider also making all disclosures which will be required by Fed.R. Crim.P. Rule 26.2 and 12(h) in order to avoid any delays or continuances of the Motions Hearing referenced in paragraph 7.

²The parties are reminded of their obligation to confer with the responding party pursuant to LR 12.1(b) before filing a Motion under Fed. R. Crim. P. Rule 12(b).

the undersigned at 412 Gerald W. Heaney Federal Building and U.S. Courthouse and Customhouse, 515 West First Street, in Duluth, Minnesota.

7. The parties shall serve and file their Notice of Intent to Call Witnesses pursuant to LR 12.1(c)(3)A) no later than **January 26, 2015**.

8. The parties shall serve and file their Responsive Notice of Intent to Call Witnesses pursuant to LR 12.1(c)(3)(B) no later than **January 29, 2015**.

9. That oral argument on all Motions and any necessary evidentiary hearing shall be heard before United States Magistrate Judge Leo I. Brisbois **on February 2, 2015, at 1:30 p.m.**, in Courtroom No. 3, Gerald W. Heaney Federal Building and U.S. Courthouse and Customhouse, 515 West First St., Duluth, Minnesota.

10. That two (2) hard copies of the voir dire questions, proposed jury instructions, witness list, exhibit list and motions in limine shall be submitted, pursuant to the Electronic Case Filing Procedures for the District of Minnesota/Criminal and according to the directives of the Honorable David S. Doty, Courtroom 14W, U.S. Courthouse, 300 South Fourth St., Minneapolis, Minnesota, on or before **March 23, 2015**. Counsel shall also email the proposed jury instructions to Judge Doty at Doty_chambers@mnd.uscourts.gov.

11. That the Trial in this matter will commence, before the Honorable David S. Doty, **on March 30, 2015, at 9:00 a.m., in Courtroom 14W, U.S. Courthouse, 300 South Fourth St., Minneapolis, Minnesota.**

BY THE COURT:

DATED: November 19, 2014

s/Leo I. Brisbois
Leo I. Brisbois
U.S. MAGISTRATE JUDGE